

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-27105 of 2019
Date of Decision: October 16, 2019.

Lal ChandPetitioner
versus
State of HaryanaRespondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU.

Present: Mr.Adarsh Jain, Advocate, for the petitioner.
Mr.Arun Beniwal, DAG, Haryana
Mr.Amit Prashar, Advocate, for the complainant.

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Mahabir Singh Sindhu, J.

The present petition under Section 439 Cr.P.C. has been filed praying for grant of regular bail pending trial to the petitioner in case FIR No.91 dated 24.04.2019, registered under Sections 148, 149, 188, 379, 447, 506 IPC and 25, 54, 59 of the Arms Act, at Police Station Tigaon, District Faridabad.

The case of the prosecution is that the petitioner and his co-accused have harvested the wheat crop from the fields of the complainant and also threatened him with dire consequences.

Contentends that the petitioner is in custody since 29.05.2019 and after investigation, challan has been presented on 02.09.2019 and complainant is the co-sharer of the petitioner.

Learned counsel for the complainant has acknowledged the above factual position but opposed the bail on the ground that this is the fourth occasion when the petitioner has indulged in such activity. Learned State counsel also opposed the bail on similar lines.

Heard both sides.

Since the trial is going on smoothly and the petitioner 78 years of age is in custody since 29.05.2019, and the trial will take sufficient long time, therefore, his further incarceration will not serve any useful purpose.

In view of the above-said circumstances, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

In case the petitioner mis-uses the concession of bail, the complainant shall be at liberty to move an application for cancellation of the same.

October 16, 2019
mohinder

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No